

Notice of Allowability	Application No.	Applicant(s)	
	10/517,996	FRANCIS, REX WILLIAM	
	Examiner	Art Unit	
	Lars A. Olson	3617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment received from the applicant on April 27, 2006.
2. ☒ The allowed claim(s) is/are 1,2 and 5-22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. On line 3 of Claim 16, the phrase "connect to said base member" has been deleted and replaced with the phrase "connecting to said base member".
3. An amendment was received from the applicant on April 27, 2006.
4. Claims 3 and 4 have been canceled.

Reasons for Allowance

5. Claims 1, 2 and 5-22 are allowed.
6. The following is an examiner's statement of reasons for allowance. The anchor as claimed is not shown or suggested in the prior art because of the use of an anchor that is comprised of a first fluke, an elongate shank member that is attached to said first fluke, a stabilizing means that is further comprised of a substantially semi-circular member that is attached to said first fluke, and a second fluke that is secured to an upper portion of said shank member and to said stabilizing means in a parallel relationship to said first fluke, where said second fluke is smaller than said first fluke.

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7. The prior art as disclosed by Van den Haak (US 4,706,595) shows the use of an anchor that is comprised of a first fluke, an elongated shank member that is attached to said first fluke, and a second fluke that is connected to said shank member in a parallel relationship to said first fluke, where said second fluke is smaller than said first fluke. Francis (US 5,970,902) discloses an anchor that is comprised of a fluke with two wing members and a down-turned leading end portion, an elongated shank member, and a semi-circular stabilizing means that is releasably attached to said fluke member. No motivation is provided by either reference to attach a second fluke between an elongated shank member and a semi-circular stabilizing member. Therefore, none of the prior art cited shows or suggests the use of an anchor that is comprised of a first fluke, an elongate shank member that is attached to said first fluke, a stabilizing means that is further comprised of a substantially semi-circular member that is attached to said first fluke, and a second fluke that is secured to an upper portion of said shank member and to said stabilizing means in a parallel relationship to said first fluke, where said second fluke is smaller than said first fluke.

Conclusion

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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9. Any inquiry concerning this communication from the examiner should be directed to Exr. Lars Olson whose telephone number is (571) 272-6685.

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May 15, 2006

LARS A. OLSON
PRIMARY EXAMINER

Lars Olson
5/15/06